

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re: Shirley Ann Ginwright

20-10872 KHK

Chapter 13

MOTION TO SELL REAL ESTATE

COMES NOW Shirley Ann Ginwright, by counsel, and moves for an Order approving the sale of land owned by the debtor.

1. The Debtor filed her Chapter 13 bankruptcy on March 20, 2020. The debtor has proposed a 100% plan and a Section 341 creditors meeting was held on April 21, 2020. A confirmation hearing is presently scheduled for June 1, 2020.

2. The Debtor is the sole owner in fee simple of land located in Lot 18 of Janwood Hills, Mobile County, AL or also described as being located at 0 Scott Lindsey Drive Saraland, AL 33571. There are 8.5 acres of land and can be used for recreational use. Prior to the filing of the debtor's bankruptcy petition the land was listed for sale at an asking price of \$45,000.

3. An offer has arisen. Subject to the approval of this Court, the Debtor has entered into a sales contract for \$45,000 (gross) in an "arms length" agreement.

4. The property is not encumbered by any liens or loans.

5. The Debtor is anxious to conclude the sale of this property because she believes that the Covid-19 pandemic crisis will severely impact the market price of her land and shrink the pool of potential buyers.

6. The net sales proceeds of this sale is \$39,338.72 (Debtor's Affidavit attached) and debtor is keeping the check in a drawer until instructed by the Court to tender it to the Chapter 13 Trustee or otherwise act. Since, the debtor's basis in the land is \$60,000 no funds are needed to pay federal taxes. However, the debtor seeks to retain \$5,400 for needed repairs/improvements.

7. The \$5,487 is needed for a \$4500 propane heater for the home and \$900 is needed to purchase the propane tank in her yard. That propane tank belongs to Amerigas and it charges premium prices for propane. For several years the debtor has been using, without satisfaction, a number of portable, electric heaters. The cost of replacing her heater would have entailed a large payment and/or too expensive financing. Purchasing this tank permits competitive shopping for propane and the \$987 purchase will be recovered in one or two years.

8. Thus, debtor will tender to the trustee \$33,851.72 (expected to be 70% of the total plan payments) to the Chapter 13 trustee within 14 days of approval of this motion.

WHEREFORE the Debtor respectfully requests that this Court approve the sale of the Property, and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Barry Weintraub
Barry Weintraub
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Stafford VA 22554
540-658-9980
703-963-2595
4110office@gmail.com

VA Bar 24453
Counsel for Debtor
May 30, 2019

CERTIFICATE OF SERVICE

I, Barry Weintraub, certify that a copy of this motion and the accompanying Notice of Hearing were mailed, first class, or transmitted by the CM/ECF system this May 30, 2020 to the U.S. Trustee and the Chapter 13 Trustee, Thomas P. Gorman, and to the attached list of creditors.

/s/ Barry Weintraub

Shirley Ann Ginwright
20-10872 KHK

AFFIDAVIT

My name is Shirley Ann Ginwright and I filed a Chapter 13 petition on March 20, 2020. I have also filed a 100% plan that pays all my creditors 100% except for a claim that I expect will be filed by the Oxford Station Townhouse Association and will be the root of an adversary proceeding.

Before I filed my petition I listed 8.5 acres of recreational land in Mobile County, Alabama (also described as being located at 0 Scott Lindsey Drive Saraland, AL 33571) for sale for \$45,000. I own the land in fee simple and there are no liens upon the property that I know of.

I was very surprised when a firm offer of \$45,000 was made for this land that contained a closing date of May 1, 2020. I have never had any dealing with the potential purchaser and this was an “arms length” transaction. The transaction was executed by a real estate agent who expects to be paid from the proceeds. The full details are in my Motion’s Exhibit.

I am very anxious to conclude the sale of this property because I believe the Covid-19 pandemic crisis will severely impact the market price of this land and shrink the pool of potential buyers. The net proceeds of the land will go to the Chapter 13’s office to pay my creditors except estimated capital gains tax, real estate agent fee and possibly some other small costs needed to execute the deal. I also understand there is a 10% trustee fee.

I hereby declare under the penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

/s/ Shirley Ann Ginwright

Shirley Ann Ginwright

Label Matrix for local noticing

0422-1

Case 20-10872-KHK

Eastern District of Virginia

Alexandria

Sun May 31 12:08:42 EDT 2020

Forethought Life Insurance Company

SHAPIRO & BROWN LLP

501 independence parkway

suite 203

chesapeake, va 23320-5174

AT&T Bankruptcy

4331 Communications Dr Flr 4W

Dallas TX 75211-1300

(p)AMERICREDIT FINANCIAL SERVICES DBA GM FINAN

PO BOX 183853

ARLINGTON TX 76096-3853

Bank of America Mortgage

c/o Bryan S. Fairman

ALDRIDGE PITE, LLP

4375 Jutland Drive, Suite 200

P.O. Box 17933

San Diego, CA 92177-7921

Capital One

Attn: Bankruptcy

PO Box 30285

Salt Lake City, UT 84130-0285

(p)DIGITAL FEDERAL CREDIT UNION

220 DONALD LYNCH BLVD

MARLBOROUGH MA 01752-4708

Internal Revenue Service

Centralized Insolvency Operation

P. O. Box 7346

Philadelphia, PA 19101-7346

Oxford Station Townhouse Association

c/o Thomas Hodges

HLE Law Group

4870 Sadler Road, Suite 300

Glen Allen, VA 23060-6294

Regional Management Corporation

979 Batesville Road Suite B

Greer, SC 29651-6819

Americredit Financial Services, Inc. dba GM

DbA GM Financial

P.O Box 183853

Arlington, TX 76096-3853

NewRez LLC d/b/a Shellpoint Mortgage Servi

BWW Law Group, LLC

8100 Three Chopt Rd

Suite 240

Richmond, VA 23229-4833

AT&T Mobility II LLC

%AT&T SERVICES INC.

Karen A. Cavagnaro Paralegal

One AT&T Way, Suite 3A104

Bedminster, NJ 07921-2693

Association Management

101 Sunningdale Dr

Stafford, VA 22556-4624

Barry Weintraub

32 Hayes St.

Stafford, VA 22556-8603

Country Club Villas

SPM Resort, Inc.

PO Box 2489

Myrtle Beach, SC 29578-2489

Enhanced Recovery Corp

Attn: Bankruptcy

8014 Bayberry Road

Jacksonville, FL 32256-7412

Mariner Finance, LLC

Attn: Bankruptcy

8211 Town Center Drive

Nottingham, MD 21236-5904

Pinnacle

Po Box 130848

Carlsbad, CA 92013-0848

Resurgent Capital Services as servicing agen

Best Egg

Resurgent Capital Services

PO Box 10587

Greenville, SC 29603-0587

BANK OF AMERICA, N.A.

P.O. Box 31785

TAMPA, FL 33631-3785

United States Bankruptcy Court

200 South Washington Street

Alexandria, VA 22314-5405

AmeriCredit/GM Financial

Attn: Bankruptcy

PO Box 183853

Arlington, TX 76096-3853

Bank of America

Attn: Bankruptcy NC4-105-02-77

PO Box 26012

Greensboro, NC 27420-6012

Best Egg/sst

Attn: Bankruptcy

4315 Pickett Rd

St Joseph, MO 64503-1600

Department of Education/Nelnet

Attn: Claims

PO Box 82505

Lincoln, NE 68501-2505

Equityexperts.org

2391 Pontiac Rd.

Auburn Hills, MI 48326-2462

NewRez LLC d/b/a Shellpoint Mortgage Servi

P.O. Box 10826

Greenville, SC 29603-0826

Reg Fin 1213

979 West Bastesville Rd

Greer, SC 29650

Select Portfolio Servicing, Inc

Attn: Bankruptcy

PO Box 65250

Salt Lake City, UT 84165-0250

Shellpoint Mortgage Servicing
 Attn: Bankruptcy
 PO Box 10826
 Greenville, SC 29603-0826

Specialized Loan Servicing/SLSS
 Document Page 6 of 6
 Attn: Bankruptcy
 PO Box 636005
 Littleton, CO 80163-6005

Synco/PPC
 Attn: Bankruptcy
 PO Box 965060
 Orlando, FL 32896-5060

Synchrony Bank
 c/o PRA Receivables Management, LLC
 PO Box 41021
 Norfolk VA 23541-1021

The Bank of New York Mellon Trustee (See 410
 c/o Specialized Loan Servicing LLC
 8742 Lucent Blvd, Suite 300
 Highlands Ranch, Colorado 80129-2386

The Colonies of Williamsburg
 5380 Old Town Road
 Williamsburg, VA. 23188-1922

Virginia Department of Taxation
 P.O. Box 2156
 Richmond, VA 23218-2156

Virginia Dept. of Taxation
 c/o Taxing Authority Consulting Services
 PO Box 1270
 Midlothian, VA 23113-8270

John P. Fitzgerald, III
 Office of the U.S. Trustee - Region 4
 1725 Duke Street
 Suite 650
 Alexandria, VA 22314-3489

Shirley Ann Ginwright
 11615 Gunston Rd
 Lorton, VA 22079-4008

Thomas P. Gorman
 341 Dial 866-630-6853 Code: 6786636
 300 N. Washington St. Ste. 400
 Alexandria, VA 22314-2550

John Griffin, Esq.
 129 E. Davis St., #240
 Culpepper, VA 22701

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
 by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Americredit Financial Services, Inc.
 Dba GM Financial
 P.O Box 183853
 Arlington, TX 76096

Digital Federal Credit Union
 Attn: Bankruptcy
 PO Box 9130
 Marlborough, MA 01752

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BANK OF AMERICA, N.A.

(u)Bank of America Mortgage

(u)Oxford Station Townhouse Association

(d)Bank of America, N.A.
 P.O. Box 31785
 Tampa, FL 33631-3785

(u)timeshares

(d)Barry Weintraub
 32 Hayes St.
 Stafford, VA 22556-8603

End of Label Matrix
 Mailable recipients 40
 Bypassed recipients 6
 Total 46